

1 JOHN L. BURRIS, Esq./State Bar # 69888
2 LAW OFFICES OF JOHN L. BURRIS
3 7677 Oakport Street, Suite 1120
Oakland, CA 94621
Telephone: (510) 839-5200
Facsimile: (510) 839-3882
E-Mail: John.burris@johnburrislaw.com

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6 Attorneys for Plaintiff
IRIS MERRIOUNS

7 MICHAEL C. WENZEL, Esq./State Bar # 215388
8 BERTRAND, FOX & ELLIOT
9 2749 Hyde Street
San Francisco, CA 94109
10 Telephone: (415) 353-0999
Facsimile: (415) 353-0990
11 E-Mail: Mwenzel@bfesf.com

12 Attorneys for Defendants
13 COUNTY OF ALAMEDA and F. CULLEY

14
15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA

17
18 IRIS MERRIOUNS,) Case No. C11-01156(MEJ) SBA
19 Plaintiff,)
20 v.) **STIPULATION AND [PROPOSED]**
21) **ORDER CONTINUING SETTLEMENT**
22 COUNTY OF ALAMEDA; Alameda County) **CONFERENCE**
23 Sheriff's Deputy F. CULLEY; and DOES 1)
through 15,)
24 Defendants.)
25)
26)
27)
28)

1 Defendant COUNTY OF ALAMEDA and plaintiff IRIS MERRIOUNS, by and through their
2 respective attorneys of record, hereby stipulate as follows:

3 1. The parties appeared telephonically for a Case Management Conference with Judge
4 Saundra Brown Armstrong on September 28, 2012.

5 2. Pursuant to Judge Armstrong's Pre-Trial Order filed October 4, 2011, the following
6 discovery and dispositive motion deadlines were set:

- 7 (A) Non-Expert Discovery to be completed by July 27, 2012;
- 8 (B) Disclosure of expert witnesses to be completed by July 27, 2012;
- 9 (C) Rebuttal expert disclosure to be completed by August 31, 2012;
- 10 (D) Expert discovery to be completed by September 28, 2012;
- 11 (E) All Dispositive Motions to be heard by September 25, 2012;
- 12 (F) Pre-Trial Conference to take place on November 13, 2012;
- 13 (G) Trial to commence on November 26, 2012.

14 2. The Court further referred the parties for a settlement conference with the Honorable
15 Chief Magistrate Judge Elena James to be held "not earlier than 120 days" from the date of the Case
16 Management Conference, but to be completed by October 15, 2012.

17 3. By Order dated November 17, 2011, this Court scheduled a Settlement Conference for
18 January 27, 2012. By Order dated January 6, 2012, this Court continued the conference until
19 January 30, 2012.

20 4. The COUNTY diligently served written discovery requests on plaintiff on
21 October 4, 2012 so that plaintiff's deposition could be promptly scheduled and necessary records
22 subpoenaed in advance of the Settlement Conference. Responses to the written discovery were not
23 received until December 27, 2012. Those responses were voluminous, and identified numerous
24 medical providers. In addition, plaintiff has asserted a wage loss claim which will require her
25 employment records to be subpoenaed.

26 5. The COUNTY has not yet had a chance to depose plaintiff and the parties are
27 presently meeting and conferring regarding deposition dates.

6. The COUNTY will be unable to participate meaningfully in the presently scheduled conference or evaluate the case for settlement until necessary discovery is completed.

7. For all the good cause reasons stated above, the parties respectfully request this Court continue the January 30, 2012 Settlement Conference until May 15, 2012, a date the parties have confirmed is available on this Court's calendar.

8. A continuance of the Settlement Conference until May 15, 2012 will not interfere with any presently scheduled pretrial or trial dates set by Judge Armstrong.

IT IS SO STIPULATED.

Respectfully submitted,

LAW OFFICES OF JOHN L. BURRIS

Dated: 01-11-12

By: /s/ John L. Burris, Esq.

John L. Burris, Esq.
Attorneys for Plaintiff

BERTRAND, FOX & ELLIOT

Dated: 01-11-12

By: /s/ Michael C. Wenzel, Esq.

Michael C. Wenzel, Esq.
Attorneys for Defendants

ORDER

GOOD CAUSE APPEARING THEREFORE, and the parties having stipulated to same, the parties' stipulation is hereby APPROVED. The January 30, 2012 Settlement Conference is continued until May 15, 2012. At 10:00 a.m.

IT IS SO ORDERED.

DATED: January 12, 2012

HONORABLE MARIA-ELENA JAMES
Chief United States Magistrate Judge

STIPULATION AND [PROPOSED] ORDER CONTINUING SETTLEMENT CONFERENCE
Merriouns v. County of Alameda, et al.
U.S.D.C. Northern District of CA Case No. C11-01156